

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

Richard Adkins,
a/k/a Richard A. Adkins,

Petitioner,

vs.

Tim Riley, Warden, Tyger River Correctional
Institution,

Respondent.

) C/A No. 5:12-1591-CMC-KDW

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ORDER

This is an action seeking habeas corpus relief under 28 U.S.C. § 2254. Petitioner is a prisoner. Therefore, in the event that a limitations issue arises, Petitioner shall have the benefit of the holding in *Houston v. Lack*, 487 U.S. 266 (1988) (prisoner's pleading was filed at the moment of delivery to prison authorities for forwarding to district court). Under Local Civil Rule 73.02(B)(2) of the United States District Court for the District of South Carolina, pretrial proceedings in this action have been referred to the assigned United States Magistrate Judge. By Order dated June 15, 2012, ECF No. 8, Petitioner was given a specific time frame in which to bring this case into proper form. Petitioner has complied with the court's Order and this case is now in proper form.

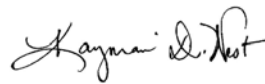
PAYMENT OF THE FILING FEE:

Petitioner has paid the full filing fee. Receipt No. SCX400007887 (D.S.C.), ECF No. 10.

TO THE CLERK OF COURT:

The Clerk of Court shall not serve the § 2254 Petition upon Respondent because the Petition is subject to dismissal.

IT IS SO ORDERED.



August 6, 2012
Florence, South Carolina

Kaymani D. West
United States Magistrate Judge